

**Annual Mandatory Collection of Elementary and Secondary
Education Data through the Consolidated State Performance Report**

December 2022

Attachment A

**Consolidated State
Performance Report for
School Years 2022-23, 2023-
24, and 2024-25:
Directed Questions for 60-day
Package**

OMB No. 1810-0724

INTRODUCTION

This attachment contains specific topics for which the Department would like to obtain input from data submitters and stakeholders. Please note that in addition to these specific questions, public comments are encouraged on all the changes proposed. While many of these questions are directed to SEA data submitters, comments from all stakeholders on these topics are welcome.

This attachment contains responses to public comments on the Annual Mandatory Collection of the Consolidated State Performance Report (CSPR). The 30-day comment period for the CSPR package closed on November 10, 2022. The Department (ED) received a total of four comment submissions, totaling seven individual comments. All submissions and comments came from states.

The Department received comments directed toward four sections of the CSPR. This document is organized by sections in the CSPR, which are divided by program. Comments not related to any directed questions are provided at the end of this document.

Each section provides the question asked by the commenter in the public comments, the Department's response(s) to those comments, and any resulting changes, if any, being made to the proposed data collection package. In addressing the public comments and considering any revisions to the package, the Department focused on recommendations from the public comments that continue to move the CSPR forward in achieving the goals of burden reduction and improving the quality of data submissions.

The Department appreciates the time and attention the public spent on reviewing the CSPR package, particularly with regard to a providing a careful review of the CSPR and noting any impact that changes to the collection may have on the states' ability to collect and report data in support of their CSPR submissions. State comments were taken heavily into consideration when determining the structure and content of the CSPR. The Department reviewed, summarized and documented each statement prior to analyzing all statements. This documentation will aid in the finalization of this data clearance package and will serve to inform future policy decisions regarding the CSPR.

OTHER PUBLIC COMMENTS

1. Title I, Part A (Section 2.3.3 Postsecondary program types for which enrollment are reported):

Public Comment:

The additional postsecondary program type data are available; however, these are not currently reported in California's state report cards or local educational agency report cards. Adding the postsecondary program types would require staff to analyze the specifications and re-program the code to meet the new specifications. In addition, additional staff time would be needed for the validation and approval process prior to submission. Note that while California currently has a one-year subscription for these data from the National Student Clearinghouse, there is no guarantee that funds will be available for future years to fund this subscription and report these data on an ongoing basis.

ED Response:

One State commented the additional information is available but that reporting the data would require additional burden.

The State's comment focused on the burden of reporting data on enrollment by types of postsecondary education, which is not the new data collection proposed. The proposed new data collection is an indication of which of the three possible types of postsecondary enrollment are included in the aggregated postsecondary enrollment data reported by a State. No changes to the postsecondary enrollment data reported by States is proposed. Because the proposed new data collection is a relatively minor change, the Department is keeping this proposed change.

Changes from 60-Day to 30-Day

None.

2. Title I, Part C (Section 1.6.4.2 Prospective Re-Interviewing Procedures):

Public Comments

Rows 4 and 5 ask about the methods for conducting re-interviews, either face-to-face or remotely; Are states able to answer yes to both face-to-face and remote re-interviews to reflect mixed methods of conducting re-interviews?

ED Response

If the State conducts a re-interview using both methods (face-to-face and virtually), please enter yes in both sections.

Changes from 60-Day to 30-Day

None.

3. Title I, Part D, Neglected or Delinquent Students (2.5.1.1, 2.5.3.1):

Public Comment #1

1. What is the definition of “services?” Does “services” mean “educational” services or “services funded by Title 1D funds?”
2. In a situation where a neglected and delinquent facility has separate educational classrooms and the neglected or delinquent facility staff, not the educational staff, feel it is necessary for the student to remain within the housing unit or cottage instead of the educational classroom - if the educational program provides educational materials, books, laptops, etc. to the student to utilize while on unit or the cottage, will that count as days served?
3. How will the collection account for excused absences? For instance, if a student is enrolled and offered educational services, but the student was absent due to court proceedings or medical reasons, can the days that the student was excused be counted as days served because educational services were offered to the student?

ED Response #1

1. In ED Facts File Specifications 119 and 127 (for State agencies and local educational agencies, respectively), States must report students who are served in Title I, Part D programs by race/ethnicity, age, gender, disability status, English learner status, and long-term status (more than 90 days served). This means that students should be counted if they are receiving any type of services in a Title I, Part D program. It does not mean only educational services, as Title I, Part D authorizes a number of non-instructional services. Similarly, for the proposed measure in the CSPR of “average number of days served” this would apply to all services funded by Title I, Part D.
2. As this question relates to the proposed measure of “average number of days served,” this would depend on the nature of the services funded with Title I, Part D funds. For purposes of determining days receiving services, the Department does not distinguish between services that are offered remotely or in person. However, the answer to this question may depend on the nature of the program services. If the program is supporting instructional time or counseling, for example, the Department would consider receiving services to involve direct interaction with program professionals rather than simply independent work on the part of the student. Other types of services, such as equipment or software licenses, might be calculated based on the days the student is utilizing those services.
3. The question regarding days served specifically asks for the average number of days that students in a program received services. Therefore, absences should not be considered in the calculation, to the extent it is feasible for programs to collect data on days attended. The intent of this question is to measure the average

number of days that students received the benefit of services funded by Title I, Part D.

Public Comment #2

The CDE has clarifying questions about the CSPR and the relationship with the approved ED Facts package for school years 2022–23, 2023–24, and 2024–25, Title I, Part D collections.

1. The CDE would like to request definitions of the Program/Facility Types for both the SEA (2.5.1.1) and the LEA (2.5.3.1).
2. What is the difference between Average Length of Stay (# days) and Average Number of Days Served proposed for Title I, Part D CSPR sections 2.5.1.1 and 2.5.3.1?

ED Response #2

1. Definitions for the program types in 2.5.1.1 and 2.5.3.1 will be provided in updated File Specifications for FS 119 and 127 in ED Facts. The definitions for adult correctional institution and community day programs will correspond to the statutory definitions provided in Section 1432 of the ESEA. The terms not defined in the Title I, Part D statute or regulations (i.e., for juvenile detention center, shelters, group homes, ranch/wilderness camps, residential treatment centers, and long-term secure juvenile facilities) will be consistent with the definitions provided by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).
2. The Department has proposed collecting “average number of days served” in addition to “average length of stay” to obtain better information about the actual services provided by Title I, Part D programs. Where average length of stay is the measure of the number of days a student remains in a program, from entry to exit, the Department does not know to what extent students are actually receiving services that are supported by Title I, Part D funds. Average days served should comprise an average of the number of days that each participating student is in attendance and receiving services supported by Title I, Part D in the reporting year. Several states suggested that students receive very few services under this program. It is our expectation that this new data measure will give State educational agencies more insights about the extent to which students receive services under this program.

Public Comment #3 (A comment response to a directed question asked during the previous 60-day public comment period)

Currently, ED collects data on the yearly average length of stay by program/facility type serving students who are neglected or delinquent under Title I, Part D. ED is proposing to add an additional collection for the average number of days that students receive program-funded services in these programs.

- a) Can your state report the average number of days that students receive Title I, Part D program services, in addition to the average length of stay?
 - i. PRDE should be able to report the data for the SY2223.

- b) How long does the state anticipate that it would take to be able to report this data?
What impacts with reporting this data group are anticipated in your state?
- i. PRDE will be able to collect the data for the SY2223 CSPR.

ED Response #3

The Department received an additional response to the previous 60-day public comment period directed question regarding the ability to submit data on the average length of stay by program/facility type serving students who are neglected or delinquent under Title I, Part D. This comment indicated the SEA was currently collecting these data and would be able to submit the data to the Department. Based on this and prior responses received during the 60-day public comment period, the Department maintains its belief that these data are important to collect and include these data in the CSPR.

Changes from 60-Day to 30-Day

None.

4. Title III (EL Teachers 1.3.4.1)

Public Comment (A comment response to a directed question asked during the previous 60-day public comment period):

The Department proposes revising language in item 1.3.4, including the change from “certified, licensed, or endorsed teachers” to “EL certified or licensed teachers of English learners,” to further clarify the population of teachers meant for inclusion in reporting this data. Is the intent of the revised language clear to states? If not, please specify.

- a) What challenges, if any, do states encounter in reporting the data under item 1.3.4?
- i. If the assertion is upheld, the PRDE must answer "0". We request a change that reads: "...or licensed teacher of Spanish learners."

ED Response

One SEA (Puerto Rico Department of Education (PRDE)) noted that, for their purpose, the term “EL certified or licensed teachers of English learners” does not apply, as teachers in Puerto Rico provide instruction to Spanish learners. PRDE noted that they would have to report a count of zero for an item referencing teachers of English learners instead of Spanish learners.

The Department thanks the SEA for raising this issue and understands that PRDE serves Spanish learners under the Title III program. Given the unique nature of how these requirements apply to PRDE the Department does not recommend changing the standard language for Title III requirements that references English learners. However, the Department notes that PRDE should interpret any Title III data requirements that reference “English” to mean “Spanish” for the purpose of PRDE reporting. Therefore, in this particular example, PRDE would submit counts of

“Spanish certified or licensed teachers of Spanish learners” for CSPR item 1.3.4. The Department will note in the CSPR Submission Guide that Puerto Rico reports data on Spanish learners and teachers, rather than English learners and teachers. Additionally, the Department will add a data note on the ED Data Express platform that communicates to public data users regarding PRDE’s submission of Spanish learner and teacher data.”

Changes from 60-Day to 30-Day

None.